

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

**BRIO OWNERS ASSOCIATION, a  
Washington non-profit corporation,**

Plaintiff,

V.

PHILADELPHIA INDEMNITY INSURANCE  
COMPANY,

## Defendants.

NO. 20-CV-1400-RSL

## STIPULATION AND ORDER

## STIPULATION

IT IS HEREBY stipulated and respectfully requested by the parties that the Court's prior Order of Dismissal [Dkt. # 23], entered based on the parties reaching a settlement, be modified so that the dismissal is *with* prejudice (and without an award of fees and costs).

DATED this 8th day of April, 2021.

## ASHBAUGH BEAL

GORDON & POLSCER, L.L.C.

By s/ Jesse D. Miller

Jesse D. Miller, WSBA #35837

jmiller@ashbaughbeal.com

Zachary O. McIsaac, WSBA #35833

zmcisaac@ashbaughbeal.com

Attorneys for Plaintiff

By s/ T. Arlen Rumsey

T. Arlen Rumsey, WSBA #19048

arumsey@gordon-polscler.com

Attorneys for Defendant Philadelphia

## Attorneys for Defendant Plaintiff Indemnity Insurance Company

**STIPULATION AND ORDER - 1  
(No. 20-CV-1400-RSL)**

## ORDER

This matter came before the Court on the parties' stipulation on April 8, 2021. On the basis of the parties' representations, the Court modifies the prior Order of Dismissal [Dkt. # 23]: this case is dismissed *with* prejudice (and without an award of fees and costs).

Dated this 9th day of April, 2021.

Judge Robert S. Lasnik  
Judge Robert S. Lasnik  
United States District Judge

Presented by:

## ASHBAUGH BEAL

By s/ Jesse D. Miller

Jesse D. Miller, WSBA #35837

jmiller@ashbaughbeal.com

---

Zachary O. McIsaac, WSBA #35833

zmcisaac@ashbaughbeal.com

Attorneys for Plaintiff

GORDON & POLSCHER, L.L.C.

By s/ T. Arlen Rumsey

---

T. Arlen Rumsey, WSBA #19048

arumsey@gordon-polsker.com

Attorneys for Defendant Philadelphia

Attorneys for Defendant Florida  
Indemnity Insurance Company

**STIPULATION AND ORDER - 2  
(No. 20-CV-1400-RSL)**

# Ashbaugh

701 FIFTH AVE., SUIT  
SEATTLE, WA 98101